BK2353 PG0353

THIS DEED

MADE the 344 day of June, 1999.

BETWEEN ELEANOR ZAPACH BEREGI, an unremarried widow, of the Township of Perry, Fayette County, Pennsylvania, party of the first part, and

ELEANOR ZAPACH BEREGI, an unremarried widow, of the Township of Perry, Fayette County, Pennsylvania, and <u>DAVID A. BEREGI</u>, a married person, of the Borough of Brownsville, Fayette County, Pennsylvania, as joint tenants with right of survivorship, parties of the second part:

WITNESSETH, that the said party of the first part, in consideration of-

PARCEL NO. 1:

ALL that certain piece or parcel of land situate in Perry Township, Fayette County, Pennsylvania, being part of the Washington Run Mining Village bounded and described as follows, and as shown by Plan Exhibit "F" recorded with the deed from H.C. Frick Coke Company to Mark Sugarman and Ada Sugarman, his wife:

BEGINNING at a point in the middle of a twenty-five (25) foot alley, at the southwest corner of the land hereby conveyed, which place of beginning is located South 32 degrees 42 minutes 10 seconds East, 542.58 feet from the corner in public road known as Route No. 51 of land now or formerly of Strawn and Blaney, at the junction of the lines of said Strawn and Blaney land, South 70 degrees 32 minutes 20 seconds East, 1274.40 feet and North 18 degrees 28 minutes 50 seconds East; thence from said place of beginning, running by land conveyed by H.C. Frick Coke Company to Mark and Ada Sugarman, of which this is a part. North 56 degrees 24 minutes East, 139.62 feet to a point in the middle of a twenty-four (24) foot street; thence along in the middle of said street, South 33 degrees 36 minutes East, 82 feet to a point; thence by other land so conveyed to Mark and Ada Sugarman, South 56 degrees 24 minutes West, 141.72 feet to a point in the middle of a twenty-five (25) foot alley; and thence along in the middle of said alley, North 32 degrees 08 minutes West, 82 feet to the place of beginning.

CONTAINING an area of 0.265 of an acre and having thereon erected a frame double dwelling house known as Nos. 135-136 of said Washington Run Mining Village. EXCEPTING AND RESERVING the coal and mining rights and waivers and the oll and gas and drilling rights and waivers heretofore conveyed or reserved, and under and subject to the right at any time hereafter to lay, maintain, repair, replace, renew and remove water pipe lines along in said street and alley, and under and subject to the right of the public to use said street and alley for passage thereover, and also excepting and reserving and under and subject to all existing easements and all conveyances and easements heretofore made or granted, excepted or reserved.

BK2353 PG0354

BEING the same premises decreed to Michael W. Zapach and Eleanor Zapach Beregi, brother and sister, by the Estate of Anna Zapach per Certificate of the Clerk of Orphans Court Division dated June 12, 1985 and recorded the same date in the Recorder-s Office in and for Fayette County, Pennsylvania in Record Book Vol. 43, page 181. The said Michael W. Zapach died testate on August 2, 1997. An Estate Proceeding was opened in Fayette County, Pennsylvania at No. 26-99-111 on February 2, 1999 and Eleanor Beregi was appointed as Executrix. Pursuant to Paragraph Second of the Will of Michael Zapach, said one-half interest in property was devised to Eleanor Beregi, his sister.

Tax Parcel ID #: 27-14-0077

PARCEL NO. 2:

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ALL that certain piece or parcel of land situate in Perry Township, Fayette County, Pennsylvania, being part of the Washington Run Mining Village, bounded and described as follows and as shown on Plan Exhibit F, recorded with the deed from H.C. Frick Coke Company to Mark and Ada Sugarman, his wife.

BEGINNING in the middle of a twenty-five (25) foot alley at the southeastern corner of the land hereby conveyed, which place of beginning is located South 32 degrees 37 minutes 40 seconds East, 624.57 feet from the most southerly corner in land now or formerly of Strawn and Blaney, which comer is at the junction of the lines of said Strawn and Blaney land running South 70 degrees 32 minutes 20 seconds East, 1274.40 feet to the corner and thence therefrom North 18 degrees 28 minutes 50 seconds East; thence from said place of beginning running by land conveyed by H.C. Frick Coke Company to Mark and Ada Sugarman, South 56 degrees 24 minutes West, 110.71 feet to a point in the middle of a thirty (30) foot street; thence in the middle of said street, North 21 degrees 49 minutes 20 seconds West, 4.48 feet to an angle in said street; thence continuing in the middle of said street, North 30 degrees 34 minutes West, 77.69 feet to a point; thence by other land so conveyed to Mark and Ada Sugarman, North 56 degrees 24 minutes East, 107.79 feet to the middle of said alley; and thence in the middle of said alley, adjoining land on which double dwelling house Nos. 135-136 of Washington Run Mining Village is located, South 32 degrees 08 minutes East, 82 feet to the place of beginning, CONTAINING an area of 0.205 of an acre of vacant land at Washington Run Mining Village, adjacent to and lying immediately southwest of the land on which said double dwelling house Nos. 135-136 is located.



BK2353 PG0355

BEING the same property conveyed to Michael W. Zapach and Eleanor Zapach Beregi, brother and sister, pursuant to deed dated March 23, 1956 and of record in Deed Book Vol. 854, page 487. Michael W. Zapach died testate on August 2, 1997. An Estate Proceeding was opened in Fayette County, Pennsylvania on February 2, 1999 at No. 26-99-111 and Eleanor Beregi was appointed Executrix. Pursuant to Paragraph Second of the Will of Michael Zapach, said one-half interest in said property was devised to Eleanor Beregi.

Tax Parcel ID #: 27-14-0063

1. . . .

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EXCEPTING the coal and mining rights and waivers and the oil and gas and drilling rights and waivers heretofore conveyed or reserved, and under and subject to the right at any time hereafter to lay, maintain, repair, replace, renew and remove water pipe lines along in said street and alley, and under and subject to the right of the public to use said street and alley for passage thereover, and also excepting and under and subject to all existing easements and all conveyances and easements heretofore made or granted, excepted or reserved as reserved in the chain deed of record.

This is a transaction between mother and son; accordingly, there is no transfer tax.

TO HAVE AND TO HOLD the same unto and for the use of the said party of the second part, her heirs and assigns forever,

And the said party of the first part for her helrs, executors and administrators covenants with the said parties of the second part, their heirs and assigns against all tawful claimants whomsoever warrant GENERALLY the same and every part thereof to Warrant and Defend.

NOTICE - THIS DOCUMENT MAY NOT/DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE/HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. This notice is set forth in the manner provided in Section 1 of the Act of July 17, 1957, P.L. 984, as amended, and is not inlanded as noble of unrecorded instruments, if any.]

WITNESS the hand and seal of the said party of the first part.

WITNESS: non Tepace Berege (SEAL) Eleanor Zapach Beregi

NOTICE - THE UNDERSIGNED, AS EVIDENCED BY THE SIGNATURE(S) TO THIS NOTICE AND THE ACCEPTANCE AND RECORDING OF THIS DEED, (IS, ARE) FULLY COGNIZANT OF THE FACT THAT THE UNDERSIGNED MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE, AS TO THE PROPERTY HEREIN CONVEYED, RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY, HEREIN CONVEYED, MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED HEREIN TO COMPLY WITH THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966.

WITNESS:

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anorlapach, (SEAL) Eleanor Zapach Beregi

(SEAL)

BK2353 PG0356

David A. Beregi

the bear BK2353 PG0357 COMMONWEALTH OF PENNSYLVANIA: SS: COUNTY OF FAYETTE: On this the <u>2441</u> day of <u>4110</u>, before me a Notary Public, the undersigned officer, personally appeared ELEANOR ZAPACH BEREGI, an unremarried widow, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained. IN WITNESS WHEREOF, I hereunto set my hand and official seat. Notary Public My Commission Expirest to Automation Soat N.P. Seal: healided, Felitage while a Succision CI Neture **CERTIFICATE OF RESIDENCE** I, Kris A. Vanderman, Esquire, do hereby certify that the Grantor's precise residence is: P.O. Box 378, Star Junction, PA 15492, Witness my hand this 24/ day of)1999 Truo anafronantilla Kris A. Vanderman, Esquire Vanderman, Esquire 9900011446 Filed for Record in FAYETTE COUNTY, PA DAVID G. MALOSKY On 07-02-1999 At 08:29 am. DEED 26.50 Beok OR Vol. 2353 Pg. 353 120 COMMONWEALTH OF PENNSYLVANIA: SS: Instrument Book Vol. 9900011446 DR 2353 COUNTY OF 353 -FAYETTE: RECORDED on this day of A.D. 1999, in the Recorder's Office of the said County in Deed Book Vol. , page Given under my hand and the seal of the said office, the day and year aforesaid. Recorder. Mare PREPARED BY: VANDERMAN LAW OFFICES Kris A. Vanderman, Esquire Page 353 142 Fallowfield Avenue Charlerol, PA 15022 (412) 489-9578